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CIVIL ACTION NO  
COMPLAINT

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.  
2016 OCT 24 AM 10:16  
CLERK   
SO. DIST. OF GA.  
1-5

1. Your full name and prison number upon information and belief, Earnest Bernard Clayton - 957639
2. Approximate date your sentence will be completed upon information and belief, in 065

3. Other than the appeal of your conviction or sentence, have you ever submitted a lawsuit for filing in any federal or state court dealing with the same facts involved in this lawsuit or otherwise related to your imprisonment? upon info, motion and belief, yes

4. Where are you now confined? upon information and belief, Georgia State Prison

5. Did you present your complaint(s) herein to the institution as a grievance? upon information  
and belief yes.

#### IV. PARTIES TO THIS LAWSUIT

6. List the name and address of each plaintiff in this lawsuit

Earnest Clayton

Upon information and belief, Georgia State Prison, 2001<sup>st</sup> Ave South

Reidsville, Georgia 30453

7. List the name of each defendant in this lawsuit.

- (A) Upon information and belief, Dennis Murry was a correctional officer at G.S.P.
- (B) Upon information and belief, Emmitt Donahue was a Lieutenant at G.S.P.
- (C) Upon information and belief, Brian Chambers was a Unit Manager at G.S.P.
- (D) Upon information and belief, Sharp was a Lieutenant at G.S.P.
- (E) Upon information and belief, Zimmerman was a correctional officer at G.S.P.
- (F) Upon information and belief, Osborne was a ~~Sgt~~ **Sergeant** at G.S.P.
- (G) Upon information and belief, Harris was a white correctional officer at G.S.P.
- (H) Upon information and belief, Shoemaker was a Lieutenant at G.S.P.
- (I) Upon information and belief, Homer Bryson was and/or is the Commissioner of Georgia's Department of Corrections
- (J) Upon information and belief, Robert Tooles was a staff member of GDOC or Georgia Department of Corrections
- (K) Upon information and belief, Doers, was and/or is a Warden ~~at~~ Sgt \_\_\_\_\_ at G.S.P.
- (L) Upon information and belief, Marty Allen is now the Warden at G.S.P.
- (M) Upon information and belief, Joyce was a correctional officer at G.S.P.
- (N) Upon information and belief, Brian Owens was the Commissioner of Georgia Department of Corrections
- (O) Upon information and belief, Nathan Deal was the Governor, of Georgia.
- (P) Upon information and belief, Davidson was a correctional officer at Georgia
- (Q) Upon information and belief Smith was a Unit Manager at G.S.P.
- (R) Upon information and belief Allen was a correctional officer at Georgia
- (S) Upon information and belief, Williams was a correctional officer at Georgia
- (T) Upon information and belief, Williams was a correctional officer at Georgia
- (U) Upon information and belief John Doe was the dude who in some of conditions in Cell-05-of-dorm h'd at G.S.P.
- (V) Upon information and belief, Lee was a correctional officer at G.S.P.
- (W) Upon information and belief, Harlod Flower was a correctional officer at G.S.P.

## STATEMENT OF CLAIM

8.  
Each defendant issued in his or her individually cap

9.  
On dates between November 1, of 2014 and October 18, of 2016 I filed more than one grievance form about more than one issue which was related to me and/or conditions of my confinement.

10.  
Upon information and belief, at all times from the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015 when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I had no sanitary means of disposing my bowel movement(s) therefore prevented me basic human needs and/or need.

11.  
Upon information and belief, at all times from the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015 when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. cell-05-of-dorm K-2 at G.S.P. had one or more inadequate plumbing issues with the toilet in cell-05-of-dorm K-2 at G.S.P. and/or the toilet system to the toilet in cell-05-of-dorm K-2 at G.S.P. which caused and/or prevented the contents which was on the inside of the toilet in cell-05-of-dorm K-2 at G.S.P. from being flushed. Also I suffered dry throat, and being thirsty for water every day during the time as described in paragraph, and due to the conditions of not being able run water when I need and when I want

12.  
At all times from the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. the inside of the toilet in cell-05-of-dorm K-2 at G.S.P. was extremely filthy with so much contaminated water consisting of so much of another person and/or someone else's feces and urine.

13.  
At all times from the time in May of 2015, when I first had bowel movement in the toilet in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015 when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. the inside of the toilet in cell-05-of-dorm K-2 at G.S.P. was extremely filthy with so much contaminated water consisting of so much of my feces and urine along with so much of another person and/or someone else's feces and urine.

14.  
Upon information and belief, at all times from the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., cell-05-of-dorm K-2 at G.S.P. had one or more inadequate plumbing issues with the hot and cold running water system to the sink in cell-05-of-dorm K-2 at G.S.P. which caused and/or prevented the hot and cold running water system from running "any water", and/or drinking water, and/or hot and/or cold water and/or hot and cold running water therefore prevented me basic human needs and/or need. Also I suffered dry throat and dizziness every day during the time as described in this paragraph because I was not allowed access to running water in cell-05-of-dorm K-2 at G.S.P. and I suffered throat and/or throat dryness a night because I was not allowed drinking water at night

15.  
Upon information and belief, the tier-two (2) program S.O.P. indicated that the tier-two (2) program is established to protect staff, offenders and the public from offender who commit or lead other to commit violent, disruptive, predatory, or riotous activities or otherwise pose a serious threat to the safety and security of the institutional operation. The conditions of my confinement at G.S.P. had me thinking that I was going to die and that people was going to kill me,

## V STATEMENT OF CLAIM (continued)

16.  
Each defendant is sued in his and her individually capacity, only.

17.  
Upon information and belief, at the time relevant to defendant action(s) defendant(s) recklessly and/or intentionally and/or deliberately disregarded an excessive risk of serious harm to my health and/or safety.

18.  
Upon information and belief, at the time(s) relevant to defendant(s) action(s) in this case, defendant(s) recklessly and/or intentionally and/or deliberately disregard an excessive risk of serious harm to my health and/or safety which the conditions of my confinement posed to my health and/or safety.

19.  
Upon information and belief defendant Marty Allen, defendant Homer Bryson, defendant Robert Tooles, defendant Harold Flower, John Doe(s) and/or June ~~Doe(s)~~ **recklessly and/or** intentionally and/or deliberately disregard a known risk of serious harm to my health and/or safety. As a result of these conditions of my confinement I suffered and is suffering extreme emotional distress.

20.  
Upon information and belief, defendant Marty Allen, defendant Homer Bryson and defendant Robert Tooles, is intentionally discriminated against me, because of the one or more grievance form that I filed between the time in November of 2014, when I first filed a grievance form at G.S.P. and October 18, of 2016.

21.  
On ~~date~~, between December 1, of 2015, and October 18, of 2016. I ~~was~~ **was** not provide a grievance appeal form for the grievance I filed in December of 2015, when I alleged Zimmerman and Osborne illegal conduct of using excessive force against me. Therefore I was not allow access to grievance appeal procedure for the grievance form that I filed in December of 2015. alleging Zimmerman and Osborne illegal action of using excessive force against me.

22.  
Upon information and belief, everyday from the time in 2016, when I was first moved to cell 09 of-dorm G-4 at G.S.P through 3:00 a.m on October 18, of 2016. GADOC personnel ~~(s)~~ protected most inmates and/or offender in general population, from the inmate which I was force and/or subjected to live in a cell-with during this time as described in this paragraph.

23.  
Upon information and belief, the tier (2) two programs GP, indicated that assignment to duty in the two (2) program is regard as hazardous. Personnel(s) are expected to ~~deal~~ professionally with unpleasant and irrational behavior.

24.  
Upon information and belief, everyday from the time in ~~2015~~ **2015 or** 2016, when I was first moved to cell-22-of-dorm G-4 at G.S.P through 3:00 a.m on the date in 2016, when I was not allow back in cell-22-of-dorm G-4-at G.S.P I was forced and/or subjected to live in a cell with another inmate who GADOC personnel(s) alleged as a inmate who commit or lead other to commit violent, disruptive, predatory, ~~or~~ riotous action or otherwise pose a serious threat to the safety and security of the institutional operational.



## STATEMENT TO CLAIM (continued)

On dates between the time in <sup>25</sup> November of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., while I was in cell-05-of-dorm K-2 at G.S.P. I notified Stanley Williams, Emmitt Donahue, Zimmermun, Joyle, Brian Chambers, Shurp, Shurp, Davidson, Harris, Osborne, Shoemaker, Williams, Smith, John Dues, June Doe, Hill, Hall, Hausier, Dennis Murry, Allen, Brown, Herd, Hall, Hill, Williams, Allen, that cell-05-of-dorm K-2 at G.S.P. toilet, had feces and urine of another person's and/or someone else's in it, and that the toilet inside of cell-05-of-dorm K-2 at G.S.P. did not flush it out, which was in the toilet, and that I had no access to running any hot and cold water while I was confined in my assigned cell, and that cell-05-of-dorm K-2 at G.S.P. was extremely filthy and smelly.

On dates between the time in <sup>26</sup> November of 2014, when I first filed a grievance form and December 2008 of 2015, I repeatedly informed Stanley Williams, John Dues, Guards, Emmitt Donahue, Homer Bryson, Robert Tooles, Shurp, Davis, Lee, and some more staff members that I feared I would be serious another inmate and/or other inmates.

Everyday from the date in 2016 when I was first getting placed in cell-04-of-dorm B-4 at G.S.P. through 3:00 on the date of <sup>27</sup> October 18, of 2016, I was forced and/or subjected to live ~~with~~ ~~with~~ with a inmate who GADOC is protecting most inmate in general population from.

On ~~dates~~ <sup>28</sup> between the time in 2016, when I was first getting placed in cell-04-of-dorm B-4 at G.S.P. and October 18, of 2016, the inmate who I was assigned or subjected to cellmate with attacked me while I was sleep, leaving scars and bruises, on my face, chest, and arm, and caused me extreme pain and headaches. Also as a result of my assigned cell-mate attacks, I suffered scar in the back of head, and bleeding from the back of my head and mouth. Everyday from the time when I was first placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., I was extremely uncomfortable.

On dates between the time in <sup>29</sup> November of 2014, when I first filed a grievance form at G.S.P. and October 18 of 2016, Stanley Williams, Zimmermun, Smith, Emmitt Donahue, Brian Chambers, Osborne, Davidson, Guards, Keurins, made threats to me that they was going to have me transfer to Hays State Prison and/or Georgia Diagnostic State Prison because I filed a grievance form complaining.

On dates between the time in <sup>30</sup> November of 2014, when I was first complaining about one or more issues which was related to me and/or the conditions of my confinement and October 18, of 2016, the conditions of my confinement which posed an excessive risk of harm to my health and/or safety, had an adverse effect on my mental stability.

On dates between the time in <sup>31</sup> November of 2014, when I filed a grievance form at G.S.P. and October 18, of 2016, Brian Chambers, Stanley Williams, Zimmermun, Smith, Donahue, Osborne, made threats to me that they was going to get me hurt by another inmate and made serious threats that they was going to serious harm me, because I filed a grievance form complaining.

On dates between the time in <sup>32</sup> November of 2014, when I first filed a grievance form at G.S.P. and December 28, of 2015, I informed and/or notified - Stanley Williams, Robert Tooles about Brian Chambers, Emmitt Donahue, Osborne and John and June Dues was retaliating against me.

## STATEMENT OF CLAIM (Continued)

On dates between the time in November of 2014, when I first filed a grievance form at G.S.P. and October 18 of 2016, the conditions of my confinement had an adverse effect on my mental stability.

33. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., everytime when I urinated in the toilet inside of cell-05-of-dorm K-2 at G.S.P., the extremely filthy contaminated water which was inside of the toilet-05-of-dorm K-2 at G.S.P. splashed from out of the toilet onto my feet, legs and onto the floor of cell-05-of-dorm K-2 at G.S.P.

34. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. everytime when I urinated in the toilet inside of cell-05-of-dorm K-2 at G.S.P. the extremely filthy contaminated water which was inside of toilet in cell-05-of-dorm K-2 at G.S.P., splashed from out of the toilet in cell-05-of-dorm K-2 at G.S.P. onto my feet, legs and the floor of cell-05-of-dorm K-2 at G.S.P. because there was so much extreme filthy water in the toilet in cell-05-of-dorm K-2 at G.S.P.

35. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., rashes and/or severe rashes developed on my legs, feet, hands, buttocks (5) genital (5) and/or private area parts of my body which caused me to itch very badly, because of extremely filthy contaminated water which was in the toilet in cell-05-of-dorm K-2 at G.S.P. rashes developed on my feet, legs, and/or genital.

36. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., because of the extremely filthy contaminated water which was in the toilet in cell-05-of-dorm K-2 at G.S.P. splash my on my buttocks, feet, legs, hands, genital and/or private area parts of my body, my feet, hands, legs, genital area and buttocks) and/or private area parts of my body developed severe sores and rashes, which caused me severe and extreme pain.

37. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I was unwillingly and/or unwillingly subjected and/or confined and/or exposed to the unsanitary condition in cell-05-of-dorm K-2 at G.S.P.

38. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. the conditions of my confinement was extremely discomfort to me.

39. On dates between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., Stanley Williams, Smith, Brian Chambers, Emmitt Donahue, Dennis Murry (John Duell, June Duell), Joyce, Davidson, Hall, Williams, Williams, Allen, Allen, Howse, Shoe make, Smith, Zimmermann, John Doe, Hall, Keirins or John Doe No 1, Meckledon or John Doe No 4, Heckspang intentionally, exposed and subjected and/or confined me in cell-05-of-dorm K-2-G.S.P. to the unsanitary conditions and denied me drinking water, access to sanitary means of disposing my bowel movements, access to a sanitary toilet, and access to a cell that run drinking water, and/or hot and cold running water because of the one or more grievance form that I filed between the time in November of 2014 when I first filed a grievance form at G.S.P. and May 15, of 2015.

40. On dates between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., while I was experiencing, severe noseing, me headache, and severe nose bleeding, chest pain and burning in my penis when I urinated I informed and/or told Keirins or John Doe, John Doe, Zimmermann, Osborne, and some more John and June Duell, Stanley Williams, Brian Chambers, Gault-

## STATEMENT OF CLAIM (continued)

the pain, and serious medical issues) around my chest, genital, and I showed Brian Chamber Osborne, Keurins or John Due, Zimmerman, Williams the blood on the towel, had, and Osborne, Keurins or John Due, Zimmerman, Williams, intentionally denied me medical treatment for my serious medical need, which is described in this paragraph. which caused me to suffer more pain, and extreme headaches, and pain, because of the one or more grievance form I filed on a prior occasion

42. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. every time when I had bowel movements and/or when I was having bowel movements in the toilet inside of cell-05-of-dorm K-2 at G.S.P. the extremely filthy contaminated water which was in the toilet in cell-05-of-dorm K-2 at G.S.P. flushed on to my buttocks, genital(s) and/or private area parts of my body causing me extreme discomfort, rashes and sores on my genital(s) and/or buttocks.

43. Every day between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I urinated in the toilet in cell-05-of-dorm K-2 at G.S.P. adding urine to the water which was in the toilet in cell-05-of-dorm K-2 at G.S.P.

44. Every day between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I had bowel movements in the toilet in cell-05-of-dorm K-2 at G.S.P. adding feces to the water and toilet in cell-05-of-dorm K-2 at G.S.P.

45. On the date of Osborne, Zimmerman, John Due, John Doe, Davidson, and Harris illegal conduct(s) of using excessive force on me between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. I asked guard for grievance form(s).

46. On the dates between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and October 03, of 2015, I was not allowed access to the grievance appeal - procedures for the grievance that I filed between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 - G.S.P. and October 05 of 2015.

47. On the date, in December of 2015, when Zimmerman, grabbed and/or shoved and/or pushed repeatedly with excessive force, Zimmerman, and Joyce and some more John Due(s) intentionally denied my requests for a grievance form and access to the grievance procedure(s) and/or process so I could make a complaint a Zimmerman action.

48. On dates between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I complained to Brian Chambers Williams, Williams, Hill, Hall, Osborne, Zimmerman, Emmitt Donahue, Stanley Williams, Allen, Allen, Davidson, Houser, Sharp, Shoemaker, John Due(s) and June Due(s) about I had no access to running water in cell-05-of-dorm K-2 at G.S.P. and about the extreme, filthy conditions of the toilet in cell-05-of-dorm K-2 at G.S.P. and that there was blood appearing on my urine everytime I urinated and they intentionally denied me medical treatment.

49. On dates between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I notified Stanley Williams, Brian Chambers Williams, Williams, Hill, Hall, Osborne, Zimmerman, Emmitt Donahue, Dennis Murry Allen, Allen, Davidson, Houser, Sharp, Shoemaker, John Due(s) and June Due(s), Smith, Sharp, Sharp, about I had no access to running water in cell-05-of-dorm K-2 at G.S.P. no access to a sanitary toilet no access to a sanitary means of disposing my bowel movement(s), and about the extreme, filthy conditions of the toilet in cell-05-of-dorm K-2 at G.S.P.



STATEMENT OF CLAIM (continued)

50.

At all times from the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September, or October, of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P., the hot and cold running water system to the sink inside of cell-05-of-dorm K-2 at G.S.P. was broken and did not run any water.

51.

At all times from the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I had no access to a sanitary toilet therefore prevented me basic human needs and/or need.

52.

On the date in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. there was one or more cell(s) available at G.S.P. I filed a grievance form relevant cell-05 refer to exhibit F-1 and exhibit B-1.

53.

Upon information and belief, on a date between the time in November of 2014, when I was first getting placed in cell-01-of-dorm K-2 at G.S.P. and October 28, of 2015, I notified and informed Brian Chambers, Stanley Williams, Brown, that Brian Chambers was retaliating against me and that inmates was making serious threats to me that they was going to kill me when they get an opportunity.

54.

Upon information and belief, on a date the time in November of 2014, when I first filed a grievance form at G.S.P. and December 28, of 2014, false information which was related to me was placed in one or more documents because of the grievance form that I filed in November of 2014 at G.S.P. Refer to exhibit A-1.

55.

On a date between November 16, of 2014, and December 28, of 2014, while I was in cell-01-of-dorm K-2 at G.S.P. Brian Chambers, came to cell-01-of-dorm K-2 at G.S.P. with one or more of the documents which contained the false information which was related to me, and while Brian Chambers was at cell-01-of-dorm K-2 at G.S.P. with the one or more documents which was related to me, I notified, and informed and told Brian Chambers, the one or more documents which was related to me contained false information which was related to me, and Brian Chambers stated to me FUCH YOU, and sign the paper, we are going to punish you and keep you on the tier two (2) program, every opportunity we get since you filed a grievance form complaining.

56.

Upon information and belief, the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and October 03, of 2015, Howler, Stanley Williams, and some more John Does and Jane Does intentionally denied me access to the grievance appeal procedure(s) for the grievance form(s) I filed between the time as described in this paragraph.

57.

Upon information and belief, every day from the time in 2016, when I was first moved in cell-04-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date of October 18, 2016, I was forced and/or subjected to live in a cell with another inmate who Georgia Department of Corrections personnel(s) alleged as a inmate who commit or lead other to commit violent, disruptive, predatory, riotous action(s) or otherwise pose a serious threat to the safety and security to the institutional operation.

58.

On a date between November 01, of 2015 and December 15, of 2015, false information which was related to me was placed in one or more document(s) intentionally because of the one or more grievance form(s) that I filed between the time in November of 2014, when I first filed a grievance form at G.S.P. and October 27, of 2015.

59.

On a date between November 01, of 2015, and December 15, of 2015, while I was in cell-04-of-dorm K-2 at G.S.P. I informed and notified, and told Zimmerman and Joyce that false information which was related to me was placed in one or more document(s) because I filed one or more grievance form(s) and Zimmerman became even more upset with me and called me a bitch repeatedly and when I was exiting cell-04-of-dorm K-2 at G.S.P. and while my arms and wrists was restrained Zimmerman grabbed and/or shoved and/or pushed



## STATEMENT OF CLAIM continued

me repeatedly with excessive force, because of the one or more grievance form(s) that I filed between the time in November of 2014, when I first filed a grievance form at G.S.P. and November 27, 2015, and because I reported to Joyce, that false information which was related to me placed in one or more document(s).

60. On a date between June 30, of 2015, and August 31, of 2015, while I was in my assigned cell in dorm K-2 at G.S.P. Osborne, and John Doe wedged and cutted and struck my arm (wrist(s)) with sharp objects and objects repeatedly with excessive force because of the grievance form(s) because of one or more the grievance I filed between time in November of 2014 when I first filed a grievance form at G.S.P. and July 31, of 2015.

61. Upon information and belief, Every day from the date in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I was assigned to a lockdown unit, or dorm where, prisoners are lockdown 24 hour a day except when being opportune for shower(s), visit(s), call out(s), medical or sick call(s), appointment(s) etc.

62. On dates between the time in November of 2014, when I first filed a grievance form at G.S.P. and October 18, of 2016, everytime, when, Osborne was getting ready to remove the restraints from around my wrists and/or arms, Osborne intentionally squeezed the restraints into the skin of my arms and/or wrists with excessive force and made serious threats to me that he was going to kill me, because I made complaints on him and his co-workers.

63. On dates between the time in November of 2014, when I was first filed a grievance form at G.S.P. and October of 2016, everytime when, Zimmermann was getting ready to remove the restraints from around my wrist and/or arms, Zimmermann intentionally squeezed the restraints into the skin of my arms and/or wrists with excessive force and made serious threats to me that he was going to kill me, because I filed a grievance form complaining on him and his co-worker.

64. Upon information and belief, Zimmermann, Osborne, John Doe, John Doe No 3, John Doe, Harris, Davidson (illegal conduct(s)) of using excessive force and/or physical abuse against was used maliciously and sadistically for the purpose of causing me harm.

65. Every day from the date in November of 2014, when I first filed a grievance form at G.S.P. through October of 2016, I was denied protection - Custody for my safety, because of the one or more grievance form that I filed between the time in November of 2014 when I first filed a grievance form at G.S.P. and October, of 2016.

66. Upon information and belief, between August 01, of 2013 and April 10, 2016, the maximum length of time that an offender can or could be assigned to the tier

67. On a date in June of 2015, Brian Chamber came to cell-05-of-dorm K-2 at G.S.P., and while Brian Chamber was at cell-05-of-dorm K-2 at G.S.P. I repeatedly notified and/or informed and/or told Brian Chamber about the feces and urine of someone's else's and/or another person, being in the toilet in cell-05-of-dorm K-2 at G.S.P. and Brian Chamber stated to me F\*ck you, we are not helping you since you filed them grievance form(s) complaining and sign this paper and on the same date as described in paragraph Brian Chamber intentionally placed false information in one or more document which was related to me, because I filed the one or more grievance form between the time in November of 2014 when I filed a grievance form at G.S.P. and April 24, of 2015.

68. On a date between June 01, of 2015, and June 08, of 2015 while I was in cell-05-of-dorm K-2 at G.S.P. I complained to Stanley Williams and Smith that Brian Chamber, and some of the staff member was retaliating against me, and that I was subjected and exposed to feces and urine of another person and/or someone else's inside of my toilet in cell-05-of-dorm K-2 at G.S.P. and Stanley Williams and Smith stated to me We don't give a F\*ck about your conditions since you filed a grievance complaining and then Smith placed false information in one or more document which was related to me.

68. On dates between the time in May of 2015 when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015 when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I notified, and informed Stanley Williams, Dennis Murray, Houser, Emmitt Donahue, Joyce, ~~Allen, John Doe~~, Smith, David, on the filthy unsanitary conditions in cell-05-of-dorm K-2 at G.S.P.

69. On dates between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I had nose bleed, headaches, became dizzy, suffered from chest pain, and cramps and nausea, as a result of being denied adequate drinking and basic human needs or/and because of conditions or my confinement.

70. Every day from the date in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. there was the stench odor of my sitting urine and feces in the toilet in cell-05-of-dorm K-2 at G.S.P. which I was exposed and/or confined in.

80. Upon information and belief, relevant to this case and relevant to the complaint, ~~On the date between~~ December 01, 2015 and December 15, 2015, Zimmerman caused me severe cuts and bruises to my arms and wrists when he used excessive force against.

On the date between June 30, 2015 and August 28, 2015, when Osborne, cut, wedged, & struck my right arm and wrist with the sharps and objects, Osborne caused me severe cuts to my right arm and wrist and extreme pain.

82. On dates between the time in May of 2014, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. and 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. while I was experiencing nose bleeding, severe headaches, pain in stomach, severe chest pain and cramps and blood in my urine, I notified and informed Brian Chambers, Zimmerman, Smith, Emmitt Donahue, Williams, Allen, John Doe, Guards, June Doe, Shoemaker, and Brian Chambers. Zimmerman, Smith, Emmitt Donahue, Williams, Allen, John Doe, Guards intentionally delayed and denied me medical treatment which caused me to suffer more extreme pain, chest pain, nose bleeding without pain medication for these injuries as described in paragraph and their action was done for purpose of retaliation because I filed a grievance form.

83. Relevant to this case and relevant to this case and relevant to Zimmerman actions, On dates between the time in November of 2014 when I first filed a grievance form at G.S.P. and October 18, 2016, when Zimmerman, Osborne, used ~~the~~ excessive force and physical abuse against me, Zimmerman and Osborne, caused cuts and bruises to my arms and wrist. Relevant to this case and relevant to defendant's Zimmerman and Osborne actions, On the dates between the date in November of 2014 when I first filed a grievance form at G.S.P. and October 18, 2016, everytime Zimmerman and Osborne, used excessive force and physical abuse me, Zimmerman and Osborne, caused cuts, bruise, to my arms and wrists, and caused my arms and wrists to bleed.

84. Relevant to this case and complaint. On the date, when Osborne and John Doe cut, wedged and striking, my right arm with sharp objects, Osborne and some more of the staff member at G.S.P. intentionally denied me access to the grievance procedure when I requested a grievance form.

85. Upon information and belief, Every day, between the time in May of 2015, when I was first getting placed in cell-05-of-dorm K-2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015, when I was first getting placed in cell-04-of-dorm K-2 at G.S.P. I was forced, ~~substantially~~ ~~blown~~ in cell-05-of-dorm K-2 at G.S.P.

Also relevant to this case and complaint, the conditions of my confinement was extremely uncomfortable and extreme discomfort and pose a substantial and excessive risk of serious harm to my health and/or safety and Defendants subjected me to unnecessary and wanton infliction of pain.

## LEGAL CLAIMS.

86.  
Plaintiff realleges and incorporates by reference paragraphs 1 through 184 and/or this whole Complaint and/or Plaintiff realleges and incorporates by reference paragraphs 1 - 184.

DELIBERATE INDIFFERENCE: EIGHTH AMENDMENT VIOLATION

87.  
Defendant Stanley Williams acted with deliberate indifference to my health and/or safety and Stanley Williams actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of negligence and violated my rights under the State Law and/or Laws of Georgia.

88.  
Defendant Dennis Murry acted with deliberate indifference to my health and/or safety and Dennis Murry actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress, and constituted a tort of negligence and violated my rights under the State Law and/or Law of Georgia.

89.  
Defendant Emmitt Donahue acted with deliberate indifference to my health and/or safety and Emmitt Donahue actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress, and constituted a tort of negligence and violated my rights under the State Law and/or Law of Georgia.

90.  
Defendant Smith acted with deliberate indifference to my health and/or safety and defendant Smith actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of negligence and violated my rights under the State Law and/or Laws of Georgia.

91.  
Defendant Joyce acted with deliberate indifference to my health and/or safety and defendant Joyce action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of negligence and violated my rights under the State Laws and/or Law of Georgia.

92.  
Defendant Davidson acted with deliberate indifference to my health and/or safety and defendant Davidson actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of negligence and violated my rights under the State Law and/or Laws of Georgia.

93.  
Defendant Brian Chambers acted with deliberate indifference to my health and/or safety and defendant Brian Chambers actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress, and constituted a tort of negligence and violated my rights under the State Laws and/or Laws of Georgia.

94.  
Defendant Osborne acted with deliberate indifference to my health and/or safety and defendant Osborne actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress, and constituted a tort of negligence and violated my rights under the State Laws and/or Laws of Georgia.

95.  
Defendant Shoemaker acted with deliberate indifference to my health and/or safety and defendant Shoemaker actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress, and constituted a tort of negligence and violated my rights under the State Law and/or Laws of Georgia.

96.  
Defendant Houser acted with deliberate indifference to my health and/or safety and defendant Houser actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of negligence and violated my rights under the State Law and/or Law of Georgia.



97.

Defendant Zimmerman acted with deliberate indifference to my health and/or safety and defendant Zimmerman action and/or actions violated my rights under the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of deliberate indifference and violated my rights under the state law and/or Law of Georgia.

98.

Defendant Allen acted with deliberate indifference to my health and/or safety and defendant Allen action and/or actions violated my rights under the United States Constitution and cause me pain, suffering, physical injury and emotional distress and constituted a tort of deliberate indifference and violated my rights under the state laws and/or Law of Georgia.

Defendant Marty Allen is acting with deliberate indifference to my health and/or safety and defendant Marty actions and/or action is violating my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted a tort of deliberate indifference, and is violating my rights under the state law and/or law of Georgia.

99.

Defendant Harold Flower acted with deliberate indifference to my health and/or safety and defendant Harold Flower actions and/or action is violating my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

100.

Defendant Williams acted with deliberate indifference to my health and/or safety and defendant Williams actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

101.

Defendant Robert Tooles acted with deliberate indifference to my health and/or safety and defendant Robert Tooles actions and/or action is violating my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

102

Defendant John Doe 1 grievance coordinator who name I'm unsure of

103

Defendant John Doe 2 grievance staff member who name I'm unsure of

104

Defendant June Doe who name I'm unsure

105

Defendant John Doe who name I'm unsure

106

Defendant June Doe who name I'm unsure of

107

Defendant June Doe who name I'm unsure of

108.

Defendant June Doe who name I'm unsure of

## RETALIATION - FIRST AMENDMENT VIOLATION

109  
Defendant Stanley William retaliated against me because I filed a grievance about conditions of my confinement and Stanley Williams action and/or action violated my rights under the First Amendment to the United States Constitution and constituted a tort of camp or harassment and violated my rights under the State Law or Customs of Georgia and caused me physical injury, pain, suffering and emotional distress.  
Defendant Brian Chambers retaliated against me because I filed a grievance form about conditions of my confinement and defendant Brian Chambers actions and/or action violated my rights under the First Amendment to the United States Constitution and defendant Brian Chambers actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted one or more tort of harassment and retaliation.

110  
Defendant Osborne retaliated against me because I filed a grievance about conditions of my confinement and Defendant Osborne actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

111  
Emmitt Donahue retaliated against me because I filed a grievance form about conditions of my confinement and Emmitt Donahue action and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

112  
Marty Allen retaliated against me because I filed a grievance form about conditions of my confinement and Marty Allen actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

113  
Defendant Zimmerman retaliated against me because I filed a grievance form about the conditions of my confinement and Defendant Zimmerman action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

114  
Defendant Smith retaliated against me because I filed a grievance form about conditions of my confinement and Smith actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

115  
Defendant Joyce retaliated against me because I filed a grievance form about conditions of my confinement and Joyce actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

116  
Defendant Housler retaliated against me because I filed a grievance form about conditions of my confinement and defendant Housler actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

117  
Defendant Kearns retaliated against me because I filed a grievance form about conditions of my confinement and Kearns actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

118  
Defendant Dennis Murry retaliated against me because I filed a grievance form about conditions of my confinement and defendant Dennis Murry action and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

120  
Defendant Davidson retaliated against me because I filed a grievance form about conditions of my confinement and defendant Davidson actions and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury.

121

Defendant Harris retaliated against me because I filed a grievance form about conditions of my confinement and defendant Harris action and/or actions caused me pain, suffering, and violated my rights under the First Amendment to the United States Constitution and caused me physical injury and emotional distress

122

Defendant Brian Owens retaliated against me because I filed a grievance form about conditions of my confinement and defendant Brian Owens action and/or action violated my rights under the First Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

123

Defendant Zimmerman used excessive maliciously and said for the purpose to caused me harm and Zimmerman action violated my rights under the Eighth Amendment to the United States Constitution and caused me physical injury

124

Defendant Davidson acted with deliberate indifference to my health and/or safety and defendant Davidson actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me injury, physical injury, pain, suffering, physical injury and emotional distress

125

Defendant Harris acted with deliberate indifference to my health and safety and defendant Harris action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

126

Defendant Allen acted with deliberate indifference to my health and/or safety and defendant Allen action and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, physical injury, suffering and emotional distress

127

Defendant Allen acted with deliberate indifference to my health and/or safety and defendant Allen action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

128

Defendant Williams acted with deliberate indifference to my health and/or safety and defendant Williams action and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

129

At all times between May 28, of 2015 and June 15, of 2015, I was very mad about my living conditions in cell- 05- or- dorm k- 2 at G.S.P. Also relevant to this case I completed phase of the tier two program.

130

Everyday and Every night between the time in May of 2015 when I was first getting placed in cell- 05- or- dorm k- 2 at G.S.P. through 3:00 a.m. on the date in September or October of 2015 when I was first getting placed in cell- 04- or- dorm k- 2 at G.S.P. I suffered dry throat, dizziness, night sweats because I was not allow access to drinking water at night after 6:00 p.m.



STATEMENT OF CLAIM (continued)

Defendant John Doe who have I'm unsure of

## DISCRIMINATION FOURTEENTH AMENDMENT VIOLATION

132.  
Defendant Stanley Williams subjected me to discrimination and treated me very different than most inmates and defendant Stanley Williams action and/or action violated my rights under the Fourteenth Amendment, and caused me pain, suffering, physical injury and emotional distress

133.  
Defendant Zimmerman subjected me to discrimination and treated me very different than most inmates and defendant Zimmerman actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

134.  
Defendant Marty Allen subjected me to discrimination, and treated me very different than most inmates and defendant Marty Allen action and/or action violated my rights under the Fourteenth Amendment and caused me pain, suffering, physical injury and emotional distress

135.  
Defendant Stanley Williams subjected me to discrimination, and treated me very different than most inmates and defendant Stanley Williams, action and/or actions violated my rights under the Fourteenth Amendment, and caused me pain, suffering, physical injury and emotional distress

136.  
Defendant Osborne subjected me to discrimination and treated me very different than most inmates and defendant Osborne actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted one or more torts of False Imprisonment and violated my right under the state Law of Georgia.

137.  
Defendant Smith subjected me to discrimination and treated me very different than most inmates and defendant Smith actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted one or more torts of False Imprisonment and violated my rights under the state law and/or Law of Georgia

138.  
Defendant Homer Bryson subjected me to discrimination and treated me very different than most inmates and defendant Homer Bryson action and/or actions violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted one or more torts of False Imprisonment and violated my rights under the State Law and/or Law of Georgia

139.  
Defendant Harlod subjected me to discrimination and treated me very different than most inmates and defendant Harlod Flowers actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me, pain, suffering, physical injury and emotional distress and constituted one or more torts of False Imprisonment and violated my rights under the State Law and/or Law of Georgia

140.  
Defendant Marty Allen subjected me to discrimination and treated me very different than most inmates and Defendant Marty Allen actions and/or violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress and constituted one or more torts of False Imprisonment and violated my rights under the State Law and/or Law of Georgia

141.  
Emmitt Donahue subjected me to discrimination and treated me very different than most inmates, and Emmitt Donahue action and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

# STATEMENT TO CLAIM (continued)

## LEGAL CLAIMS

### ATYPICAL AND SIGNIFICANT

Defendant Murty Allen <sup>142</sup> subjected me to atypical and significant hardship and defendant Murty Allen actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

<sup>143</sup> Defendant Stanley Williams subjected me to atypical and significant hardship and defendant Stanley Williams actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution, and caused me pain, suffering, physical injury and emotional distress

<sup>144</sup> Defendant Brian Chambers subjected me to atypical and significant hardship and defendant Brian Chambers actions and/or action violates my rights under the Fourteenth Amendment to the United States Constitution, and caused me pain, suffering, physical injury and emotional distress

<sup>145</sup> Defendant Emmitt Donahue subjected me to atypical and significant hardship and defendant Emmitt Donahue actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

<sup>146</sup> Defendant Smith, subjected me to atypical and significant hardship and defendant Smith action and/or actions violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

<sup>147</sup> Defendant Dennis Murry subjected me to atypical and significant hardship and defendant - Dennis Murry action and/or actions violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

<sup>148</sup> Defendant Zimmerman subjected me to atypical and significant hardship and defendant - Zimmerman actions and/or action violated my rights under the Fourteenth Amendment - to the United States Constitution and caused me, pain, suffering, physical injury - and emotional distress

<sup>149</sup> Defendant Osborne, subject me to atypical and significant hardship and defendant Osborne actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me, pain, suffering, physical injury and emotional distress

<sup>150</sup> Defendant Shoemaker subjected me to atypical and significant hardship and defendant Shoemaker actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me, pain, suffering, physical injury and emotional distress

<sup>151</sup> Defendant Sharp subjected me to atypical and significant hardship and defendant Sharp action and/or actions violated my rights under the Fourteenth Amendment to the United States Constitution and caused me, pain, suffering, physical injury and emotional distress

<sup>152</sup> Defendant Kearins subjected me to atypical and significant hardship and defendant Kearins actions and/or action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me, pain suffering, physical injury and emotional distress

<sup>153</sup> Defendant Joyce subjected me to atypical and significant hardship and defendant Joyce actions and/or action violated my rights under the Fourteenth Amendment and/or Fourteenth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress

## STATEMENT OF CLAIM (continued)

## 154 LEGAL CLAIMS

Defendant John Doe who name I'm unsure of

DUE PROCESS - FOURTEENTH AMENDMENT VIOLATION

155  
Defendant Brian Chambers blocked my assigned to grievance procedure and did not give me any hearing and Brian Chambers actions violated my rights under the Fourteenth Amendment to the United States Constitution

156  
Defendant Homer Bryson did not give me any notice to any changes to policy and rules, and Homer Bryson action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffer, physical injury and emotional distress

157  
Defendant Stanley Williams did not give me any notice of any changes to policy and rules and Stanley Williams action violated my right to the United States Constitution and caused me pain, physical injury, emotional distress suffering

158  
Defendant Houlier denied me access to the grievance appeal procedure and did not give me any notice of any changes to one or more policy and rules, and defendant Houlier action violated my rights under the Fourteenth Amendment to the United States Constitution, and caused me pain, physical injury - emotional distress

159  
Defendant Lee denied me access to the grievance appeal procedure(s) and did not give me any notice of any changes to one or more policy procedure and/or rule and Defendant Lee action violated my rights under the Fourteenth Amendment to the United States Constitution and caused me pain, suffer, physical injury and emotional distress

160

Also relevant to this case and complaint, the are John Doe(s) and June Doe(s) defendant who I'm unsure of who names I'm unsure of and I would to Amend at a later time if possible

161.

I'm still assigned to cell-05-01-dorm K-2 at G.S.P, Marty Allen, Homer Bryson illegal conduct is discrimination causing me my changes for parole and not being able to take classes I'm required for parole, see Exhibit 3.

162.

The plaintiff has no plaintiff's adequate or complete remedy at law to address the wrongs described herein, Plaintiff has been and continue to be irreparably injured by the conductor the defendants unless this court grants the declaratory and injunctive relief which plaintiff seeks

Relevant to this case and complaint, At all times from the time in May of 2015 when I was first getting placed in cell-05-01-dorm K-2 at G.S.P through 3:00 a.m on the date in September/October of 2015 when I was first getting placed in cell-04-01-dorm K-2 at G.S.P, The conditions of cell-05-01-dorm K-2 at G.S.P. unconstitutional.



STATEMENT TO CLAIM (CONTINUUED)  
LEGAL CLAIMS

EXCESSIVE FORCE EIGHTH AMENDMENT VIOLATION

164  
Defendant Zimmerman used excessive force against me when I was not breaking any of the prison rules and when I was not acting disruptively and defendant Zimmerman action and/or actions violated my rights under Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

165.  
Defendant Osborne used excessive force against me when I was not breaking any of the prison rules and when I was not acting disruptively and defendant Osborne action and/or actions violated my rights under Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

166  
Defendant John Doe used excessive force against me when I was not breaking any of the prison rules and when I was not acting disruptively and defendant John Doe action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

167.  
Defendant Harris used excessive force against me when I was not breaking any of the prison rules and when I was not acting disruptively and defendant Harris action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

168.  
Defendant Davidson used excessive force against me when I was not breaking any of the prison rules and when I was not acting disruptively and defendant Davidson action and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

169  
Defendant Zimmerman used excessive force against me when I was not breaking any of the prison rule and when I was not acting disruptively and defendant Zimmerman action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress. Refer to exhibit 3.

170  
Defendant Osborne used excessive force against me when I was not breaking any of the prison rule and when I was not acting disruptively and defendant Osborne action and/or actions violated my rights under the Eighth Amendment to the United States Constitution and caused me pain, suffering, physical injury and emotional distress.

171  
Defendant John Doe No. 2 used excessive force against me when I was not breaking any of the prison rule and when I was not acting disruptively and defendant John Doe No. 2 actions and/or action violated my rights under the Eighth Amendment to the United States Constitution and caused me pain and suffering, physical and emotional distress.

STATEMENT OF CLAIM<sup>continued</sup>

PRAYER FOR RELIEF REQUESTED

172

WHEREFORE, plaintiff respectfully pray that this court enter judgement granting plaintiff:

173.

A declaration that acts and omissions described herein violated plaintiff rights under the Constitution and laws of the United States.

174

A preliminary and permanent injunction ordering defendant Marty Allen, Nathan Deuls, Homer Bryson, give me the same opportunity that they give most inmates who complete phase 3 of the tier two(2) program

175.

A preliminary and permanent Injunction Order defendant Marty Allen, Nathan Deul and Homer Bryson barring me from any future tier(2) program

176.

Compensatory damages in the amount of \$130,000 against each defendant, jointly and severally

177.

Punitive damages in the amount of \$ 30,000 against each defendant, jointly and severally

178.

~~Plaintiff~~ seeks punitive damages in the amount of \$30,000 against each defendant, jointly and severally

Plaintiff seeks compensatory damages in the amount of \$30,000 against each defendant, jointly and severally

STATEMENT TO CLAIM (CONTINUE)

PRAYER FOR RELIEF REQUESTED CONTINUED

179

Plaintiff Clayton also seeks a jury trial on all issues triable by jury

180.

Plaintiff Clayton also seeks recovery of his cost in this suit, and

181.

Plaintiff Clayton also seeks an order requiring defendants to cease their discrimination against me

182.

Plaintiff Clayton seeks an order for an preliminary injunction and a temporary Restraining order requiring defendants from placing me on the tier 2 program

183

Plaintiff Clayton seek an order requiring defendants to treat me the same as they treat most inmates who complete phase 3 of the tier 2 program

184

Plaintiff Clayton seek an order require defendant to place me on Protective and/or Protection Custody for my safety or give me the same opportunity(s) as most inmates who complete phase 3 of the tier two (2) program

Date: October 18, 2016

Respectfully submitted

Earnest Clayton / Earnest Clayton

Georgia State Prison

300 1st Ave South

Reidsville, Georgia 30453